



# IDEM Permit Guide

## Waste Definitions: Statutory Definitions/Classifications of Wastes

### Industrial Waste

IC 13-11-2-109.5

NOTE: Repealed by P.L.218-2001, SEC.11.

Sec. 109.5. "Industrial waste", for purposes of IC 13-20, means a solid waste from a nonresidential source that is not:

- (1) a hazardous waste (as defined in section 99 of this chapter);
- (2) a municipal waste (as defined in section 133 of this chapter);
- (3) a construction\demolition waste (as defined in section 41 of this chapter);
- or
- (4) an infectious waste as defined in IC 16-41-16-4.

As added by P.L.138-2000, SEC.1.

### Industrial Process Waste

329 IAC 10-2-95

329 IAC 10-2-95 "Industrial process waste" defined

Authority: IC 13-14-8-7; IC 13-15-2-1; IC 13-19-3-1

Affected: IC 13-30-2; IC 25-31; IC 36-9-30

Sec. 95. "Industrial process waste" means solid waste generated by manufacturing or industrial processes that is not a hazardous waste defined by section 88 of this rule and regulated under 329 IAC 3.1. Such waste may include, but is not limited to, waste resulting from any of the following manufacturing processes:

- (1) Electric power generation.
- (2) Fertilizer or agricultural chemicals production.
- (3) Food and related products or byproducts production.
- (4) Inorganic chemicals production.
- (5) Iron and steel manufacture or foundries.
- (6) Leather and leather products production.
- (7) Nonferrous metals manufacture or foundries.
- (8) Organic chemicals production.
- (9) Plastics and resins manufacture.
- (10) Pulp and paper industry.
- (11) Rubber and miscellaneous plastic products production.
- (12) Stone, glass, clay, and concrete products.
- (13) Textile manufacture.
- (14) Transportation equipment.
- (15) Oil and gas processing and refining but not exploration and recovery.
- (16) Painting, printing, and allied industries.
- (17) Contaminated, off-specification, or outdated wholesale products.
- (18) Waste recycling and processing activities, excluding operations in which processing

consists

solely of segregation of components of municipal solid waste and no chemical or physical

alteration of the waste is performed.

(19) Processing of ores and minerals as defined under 40 CFR 261.4(b)(7), but not the extraction

and beneficiation of ores or minerals as defined under 40 CFR 261.4(b)(7).

The term does not include mining operations waste or oil and gas recovery waste. (Solid Waste Management Board; 329 IAC 10-2-95; filed Mar 14, 1996, 5:00 p.m.: 19 IR 1774)

## **Hazardous Waste**

IC 13-11-2-99

Sec. 99. (a) "Hazardous waste", for purposes of section 96(a) of this chapter, IC 13-19, and environmental management laws, means a solid waste or combination of solid wastes that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may:

- (1) cause or significantly contribute to an increase in:
  - (A) mortality;
  - (B) serious irreversible illness; or
  - (C) incapacitating reversible illness; or
- (2) pose a substantial present or potential hazard to:
  - (A) human health; or
  - (B) the environment;

when improperly treated, stored, transported, disposed of, or otherwise managed.

(b) "Hazardous waste", for purposes of IC 13-22-10, includes a waste determined to be a hazardous waste under IC 13-22-2-3(b).

(c) "Hazardous waste", for purposes of IC 13-22-11, has the meaning set forth in the federal Resource Conservation and Recovery Act (42 U.S.C. 6903(5)), as in effect January 1, 1989.

As added by P.L.1-1996, SEC.1.

## **Municipal Waste**

IC 13-11-2-133

See citation in the online Indiana Code >>>

Sec. 133. (a) "Municipal waste", for purposes of:

- (1) IC 13-20-4;
- (2) IC 13-20-6;
- (3) IC 13-20-21;
- (4) IC 13-20-23;
- (5) IC 13-22-1 through IC 13-22-8; and
- (6) IC 13-22-13 through IC 13-22-14;

means any garbage, refuse, industrial lunchroom or office waste, and other similar material resulting from the operation of residential, municipal, commercial, or institutional establishments and community activities.

(b) The term does not include the following:

- (1) Industrial waste (as defined in section 109.5 of this chapter).
- (2) Hazardous waste regulated under:
  - (A) IC 13-22-1 through IC 13-22-8 and IC 13-22-13 through IC 13-22-14;
  - or
  - (B) the federal Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), as in effect on January 1, 1990.
- (3) Infectious waste (as defined in IC 16-41-16-4).
- (4) Wastes that result from the combustion of coal and that are referred to in IC 13-19-3-3.
- (5) Materials that are being transported to a facility for reprocessing or

reuse.

(c) As used in subsection (b)(5), "reprocessing or reuse" does not include either of the following:

- (1) Incineration.
- (2) Placement in a landfill.

As added by P.L.1-1996, SEC.1.  
Amended by P.L.133-1998, SEC.5;  
P.L.138-2000, SEC.2.

### **Construction/Demolition Waste**

IC 13-11-2-41

Sec. 41. (a) "Construction/demolition waste", for purposes of IC 13-20-21 , means:

- (1) bricks;
- (2) concrete;
- (3) stone;
- (4) glass;
- (5) wallboard;
- (6) lumber;
- (7) roofing materials; and
- (8) any other items;

affixed to a structure that is being constructed or demolished and being disposed of at a waste disposal facility.

(b) The term includes the following:

- (1) Plumbing fixtures.
- (2) Wiring.
- (3) Nonasbestos insulation.
- (4) Other items approved by the department.

As added by P.L.1-1996, SEC.1.

### **Infectious Waste**

IC 16-41-16-4

Sec. 4. (a) Except as provided in subsection (c), as used in this chapter, "infectious waste" means waste that epidemiologic evidence indicates is capable of transmitting a dangerous communicable disease (as defined by rule adopted under IC 16-41-2-1).

(b) The term includes the following:

- (1) Pathological wastes.
- (2) Biological cultures and associated biologicals.
- (3) Contaminated sharps.
- (4) Infectious agent stock and associated biologicals.
- (5) Blood and blood products in liquid or semiliquid form.
- (6) Laboratory animal carcasses, body parts, and bedding.
- (7) Wastes (as described under section 8 of this chapter).

(c) "Infectious waste", as the term applies to a:

- (1) home health agency; or
- (2) hospice service delivered in the home of a hospice patient;

includes only contaminated sharps.

As added by P.L.2-1993, SEC.24.  
Amended by P.L.146-1996, SEC.6.